

**FILED****10/28/2021****THOMAS G. BRUTON**  
**CLERK, U.S. DISTRICT COURT**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

ALFREDO VIVEROS-CHAVEZ

**CRIMINAL COMPLAINT**

CASE NUMBER: 21 CR 00665

JUDGE HARJANI

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief. On or about May 8, 2019, at Cook County, Illinois, in the Northern District of Illinois, Eastern Division, ALFREDO VIVEROS-CHAVEZ, defendant herein,

being an alien who previously had been deported and removed from the United States on or about December 20, 2013 and March 26, 2010, was found in the United States without previously having obtained the express consent of the Secretary of the Department of Homeland Security, for reapplication by defendant for admission into the United States;

in violation of Title 8, United States Code, Section 1326(a) and Title 6, United States Code, Section 202(4). I further state that I am a Deportation Officer with the Immigration and Customs Enforcement and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.

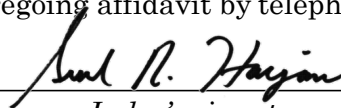
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Signature of Complainant

RENEE FALS

Deportation Officer, U.S. Immigration and Customs  
Enforcement

Pursuant to Fed. R. Crim. P. 4.1, this complaint is presented by reliable electronic means. The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: October 28, 2021City and state: Chicago, Illinois
  
 Judge's signature
SUNIL R. HARJANI, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

AFFIDAVIT

I, RENEE FALS, being duly sworn, state as follows:

1. I am a Deportation Officer with the United States Immigration and Customs Enforcement, and have been so employed for 14 years. I am a member of an investigative unit within ICE that specializes in the apprehension of criminal aliens. I work in conjunction with other law enforcement agencies in reviewing cases involving aliens who are charged with or convicted of criminal offenses. I have received training concerning immigration-related laws, policies, and procedures, including those related to the reentry of previously deported aliens.

2. This affidavit is submitted in support of a criminal complaint alleging that ALFREDO VIVEROS-CHAVEZ has violated 8 U.S.C. § 1326(a), Reentry of Removed Alien, by being present and found in the United States after having been previously deported, and is subject to the enhanced penalty provision set forth in 8 U.S.C. § 1326(b)(2) because defendant previously was deported following conviction for an aggravated felony. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging defendant with illegal reentry, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are

necessary to establish probable cause to believe that defendant committed the offense stated in the complaint.

3. This affidavit is based on my personal knowledge; information provided to me by other law enforcement agents and officers and by other persons identified in this affidavit; and my review of records maintained by ICE, other components of the Department of Homeland Security, and other government agencies.

4. According to DHS records, defendant is a native and citizen of Mexico and has no claim to United States citizenship or lawful residence. DHS records reflect that defendant was born in Mexico in 1986 and originally entered the United States at an unknown location, time or place, without inspection or admission by United States immigration authorities.

5. According to records maintained by the Circuit Court of Cook County, Illinois, on or about November 3, 2009, VIVEROS-CHAVEZ was convicted of robbery, an aggravated felony.

6. According to DHS records, on or about March 26, 2010, defendant was deported from the United States to Mexico.

7. According to law enforcement databases, on or about September 18, 2012, defendant was convicted of violating 8 U.S.C. § 1326(a), Reentry of Removed Alien, by being present and found in the United States after having been previously deported.

8. According to DHS records, on or about December 20, 2013, defendant was deported a second time from the United States to Mexico at Brownsville, Texas.

9. According to DHS records, defendant has not applied for or received permission to reenter the United States.

10. According to records maintained by the Circuit Court of Cook County, Illinois, on or about May 6, 2019, defendant was convicted of aggravated robbery.

11. On or about May 8, 2019, DHS officials learned through records checks that the defendant was present in the United States and that he did not have U.S. citizenship or status in the United States.

12. According to law enforcement databases, on or about October 18, 2021, defendant was released from custody by the state of Illinois.

13. A fingerprint comparison conducted by FBI on or about October 18, 2021 has established that defendant is the same person who was deported from the United States to Mexico on or about December 20, 2013.

14. A fingerprint comparison conducted by FBI on or about October 18, 2021 has established that defendant is the same person who was deported from the United States to Mexico on or about March 26, 2010.


FURTHER AFFIANT SAYETH NOT.

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RENEE FALS  
Deportation Officer, Bureau of  
Immigration and Customs Enforcement

SUBSCRIBED AND SWORN to before me on October 28, 2021.



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SUNIL R. HARJANI  
United States Magistrate Judge